

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Daniel Rife,

Plaintiff,

v.

Case No. 1:22-cv-00144

J Jones,

Judge Michael R. Barrett

Defendant.

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation ("R&R"). (Doc. 7).

Proper notice has been given to Plaintiff under 28 U.S.C. § 636(b)(1)(C), including notice that he would waive further appeal if he failed to file objections to the R&R in a timely manner. (Doc. 8); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the R&R have been filed, and the time to file any objections has now passed. *See* S.D. Ohio Civ. R. 7.2(a)(2).

In light of the foregoing, it is hereby **ORDERED** that the R&R (Doc. 7) is **ADOPTED in full**. Consistent with that R&R, it is **ORDERED** that, pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b), any official capacity claim against Defendant Jones is **DISMISSED**; pursuant to 28 U.S.C. § 1915(a)(3), the Court **CERTIFIES** that any appeal of this Order would not be taken in good faith; and the Court **DENIES** Plaintiff leave to appeal *in forma pauperis*.

**IT IS SO ORDERED.**

/s Michael R. Barrett  
Michael R. Barrett, Judge  
United States District Court